

Message Text

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44

ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOT-00 INR-10 NSAE-00 RSC-01 FAA-00 SS-20 NSC-07 L-03

H-03 DRC-01 /091 W

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P R 271328Z MAR 74

FM AMEMBASSY COPENHAGEN

TO SECSTATE WASHDC PRIORITY 8701

INFO AMEMBASSY BONN

USMISSION BERLIN

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY STOCKHOLM

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E.O. 11652: N/A

TAG: ETRN, GW, GE,UK, DA

SUBJ: COPENHAGEN-BERLIN AIR SERVICE

REF: A. STATE 54933, B. BERLIN 456

1. EMBASSY COPENHAGEN AGREES WITH DEPARTMENT'S CONCLUSION THAT FURTHER DEMARCHE (IN FORMAL SENSE) TO DANES AT THIS TIME WOULD RUN RISK OF NOT SUCCEEDING AND COULD LEAVE US IN DIFFICULT NEGOTIATING STANCE. WE HAVE, HOWEVER, SERIOUS DOUBTS ABOUT SCENARIO DEPARTMENT PROPOSED IN REF A. OUR RELATIONS WITH DANES HAVE TRADITIONALLY BEEN CHARACTERIZED BY OPENESS AND FRANKNESS. OUR EXPERIENCE HAS BEEN THAT THEY REACT BEST TO SUCH APPROACH. PLAN PROPOSED BY DEPARTMENT SEEMS LIKELY TO BE INTERPRETED BY THEM AS DEVIOUS AND NOT SUPPORTABLE BY NORMAL AVIATION PROCEDURES. WE, OF COURSE, DO NOT HAVE AVIATION EXPERTISE HERE TO JUDGE STRENGTH OF OUR POSITION IN LEGAL SENSE ON MAKING BERLIN INTERMEDIATE POINT ON ROUTE WHICH, AS WE UNDERSTAND IT, RUNS WASHINGTON-LONDON-HAMBURG-BERLIN (OVER-NIGHT)-COPENHAGEN AND RETURN TO WASHINGTON VIA SAME ROUTE, AGAIN WITH OVERNIGHT IN BERLIN. THIS APPEARS TO US AS KIND OF ROUTE DANES
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MIGHT ACCEPT GRACEFULLY ONLY RPT ONLY IF THEY WERE ALREADY PRE-DIS-

POSED BECAUSE OF POLITICAL CONSIDERATIONS TO AGREE TO ROUTE AND WISHED TO COOPERATE IN SUITABLE LEGAL COVER FOR THE OPERATION.

2. IN ANY EVENT WE WILL PROBABLY HAVE TO FACE ISSUE WITH DANES WHEN WE SUBMIT RESPONSE TO THEIR LATEST NOTE. IF RESPONSE IS ALONG LINES DEPARTMENT PROPOSES, FIRST QUESTION DANES WOULD PROBABLY ASK IS HOW PRECISELY WE WOULD CONDUCT SERVICE WITHIN TERMS OF EXISTING BILATERAL. SHOULD WE NOT THEN LAY OUT OUR PLANS, WE CAN BE ASSURED THEY WOULD SCRUTINIZE PANAM FILING WITH CARE, SUSPICION AND PROBABLY IRRITATION.

3. IN SUM, WE BELIEVE THAT WE MAY BE RUNNING GREATER RISKS BY CONFRONTING DANES WITH FAIT ACCOMPLI THAN BY EXPLORING, INFORMALLY AND CONFIDENTIALLY, WITH THEM THE PLAN WE HAVE FOR EFFECTING COPENHAGEN-BERLIN SERVICE FOR PANAM. IN THIS REGARD, WE WOULD SUGGEST THAT, IN ADDITION TO DEPARTMENT PROPOSAL IN REF A, WE EXPLORE USMISSION BERLIN'S SUGGESTION OF "Y SERVICE" (REF B) WHICH, IT SEEMS TO US, HAS MERIT BECAUSE IT IS MORE STRAIGHTFORWARD AND THEREFORE LIKELY TO BE MORE APPEALING TO DANES.

4. ADDITIONAL BENEFIT FROM INFORMAL CONSULTATIONS WE ENVISAGE IS THAT THEY WOULD PERMIT US TO TAKE QUESTION OUT OF PURELY AVIATION ARENA AND APPEAL, AT HIGHER LEVELS, TO DANES FOR SUPPORT OF OUR PROPOSED ROUTE ON POLITICAL GROUNDS. WITH DEPARTMENT APPROVAL, WE WOULD, IN FIRST INSTANCE, MAKE OUR PROPOSAL TO FONOFF UNDER SECRETARY JENS CHRISTENSEN CROWE

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